

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD KIRBY,

Plaintiff,

v.

No. CIV 08-659 JCH/LFG

ROBERT EZELL, SHANNON
McREYNOLDS, and MAJOR HORTON,

Defendants.

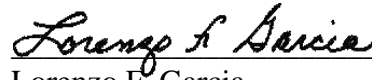
**ORDER DENYING AS MOOT DEFENDANT HORTON'S MOTION
FOR PROTECTIVE ORDER AND STAY OF DISCOVERY**

THIS MATTER comes before the Court on Defendant Major Horton's Joinder in Defendant McReynolds's Motion for Protective Order and Stay of Discovery [Doc. 58], filed on August 31, 2009. No response is necessary.

Horton asks that he be permitted to join in the Motion for Protective Order and Stay of Discovery [Doc. 57], filed August 28, 2009 by his co-defendant, Shannon McReynolds ("McReynolds"). He states that Plaintiff Richard Kirby ("Kirby") served discovery requests on "several non-party alleged employees of the Lea County Correctional Facility." [Doc. 58, at 1]. He asks that the Court enter a protective order staying all discovery in this case.

On this date, the Court entered its Order granting McReynolds's request for a protective order, and staying all discovery until further order of the Court. Thus, the relief requested by Horton has been granted in full and his motion is therefore moot.

IT IS THEREFORE ORDERED that Defendant Horton's Motion for Protective Order and Stay of Discovery [Doc. 58] is denied as moot, as the relief requested has already been granted. All discovery is stayed, and no responses are necessary to any discovery served thus far in this case.

A handwritten signature in black ink, reading "Lorenzo F. Garcia", is positioned above a horizontal line.

Lorenzo F. Garcia
Chief United States Magistrate Judge